



FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date indicated below with sufficient postage addressed to:

Mail Stop *Amendment*
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Judy L. Steinkraus *09/26/2006*

Judy L. Steinkraus

Application No.: 10/633,373	Filing Date: 07/31/2003	Docket No.: 5693.P290X
Date Mailed: 09/26/2006	Due Date: 09/29/2006	Atty/Sec: JMB CTW jxs
Client: Network Appliance, Inc.		
Title: FIBER CHANNEL ADAPTOR FOR SERIAL OR PARALLEL ATA DISKS		
First Named Inventor: Keith Son		
<u>The following has been received in the U.S.P.T.O. on the date stamped hereon:</u>		
<u>Transmittal Letters & Certificate of Mailing</u>		
<input checked="" type="checkbox"/> Transmittal Letter		
<input checked="" type="checkbox"/> Fee Transmittal (original & copy)		
<input type="checkbox"/> RCE (Request for Continued Examination)		
<input type="checkbox"/> Transmittal of Formal Drawings		
<input type="checkbox"/> Issue Fee Transmittal (original & copy)		
<input checked="" type="checkbox"/> Certificate of Mailing		
<input type="checkbox"/> Express Mail No.:		
<u>Missing Parts, Formal Papers</u>		
<input type="checkbox"/> Response to Notice of Missing Parts Assignment & Cover sheet (___ pgs.)		
<input type="checkbox"/> Declaration & POA (___ pgs.)		
<u>Amendment / Response</u>		
<input checked="" type="checkbox"/> Amendment/Response (16 pgs.)		
<input type="checkbox"/> Examiner's Interview Summary		
<input type="checkbox"/> Other: Client Ref P01-1637		
<u>Petitions & Appeals</u>		
<input type="checkbox"/> Petition for Extension of Time:		
<input type="checkbox"/> Notice of Appeal		
<input type="checkbox"/> Appeal Brief & two copies (___ pgs. each)		
<input type="checkbox"/> Reply Brief (___ pgs.)		
<u>Other</u>		
<input type="checkbox"/> Information Disclosure Statement & PTO/SB/08 (___ pgs.) (previously 1449)		
<input type="checkbox"/> Terminal Disclaimer		
<input type="checkbox"/> Request to Publish (Rescind NonPublication)		
<input type="checkbox"/> Drawings: ___ sheets, ___ figures		
<input checked="" type="checkbox"/> Postcard		
<u>Checks</u>		
<input checked="" type="checkbox"/> Check No. 7472 Amount \$ 250.00		
<input type="checkbox"/> Check No. ___ Amount \$		

**AMENDMENT TRANSMITTAL****PATENT**

Application No.: 10/633,373
Filing Date: 07/31/2003
First Named Inventor: Keith Son
Examiner's Name: Vidwan, Jasjit S.
Art Unit: 2182
Attorney Docket No.: 5693.P290X

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS


- ☐ Preliminary Amendment
- ☒ Amendment/Response with respect to Office Action
- ☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☐ Information Disclosure Statement (IDS)
- ☐ Copies of IDS citations
- ☐ Petition for Extension of Time
- ☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☐ Other: _____
- ☐ Other: _____
- ☒ Check
- ☒ Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Chui-kiu Teresa WongSIGNATURE: REG. NO.: 48,042DATE: 9/26/2006ADDRESS: 12400 Wilshire Boulevard, Seventh FloorLos Angeles, California 90025TELEPHONE NO.: (408) 720-8300**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)**

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Judy L. Steinkraus _____ Date of Deposit _____
 _____ Name of Person Mailing Correspondence _____

Signature _____ Date 09/26/2006

Express Mail Label No. (if applicable): _____

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(10/14/03)

**FEE TRANSMITTAL FOR FY 2006**

Effective on 10/01/2005. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 250.00**Complete if Known:**

Application No. 10/633,373
Filing Date 07/31/2003
First Named Inventor Keith Son
Examiner Name Vidwan, Jasjit S.
Art Unit 2182
Attorney Docket No. 5693.P290X

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)☐ Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: _____

☒ The Director is authorized to do the following with respect to the above-identified Deposit Account:☐ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☐ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>		<u>Fees Paid (\$)</u>
<u>Code</u>	<u>Fee (\$)</u>	<u>Code</u>	<u>Fee (\$)</u>			
1011	300	2011	150	Utility application filing fee	} 1,000/500	<u>0.00</u>
1111	500	2111	250	Utility search fee		<u>0.00</u>
1311	200	2311	100	Utility examination fee		<u>0.00</u>
1012	200	2012	100	Design application filing fee	} 430/215	_____
1112	100	2112	50	Design search fee		_____
1312	130	2312	65	Design examination fee		_____
1013	200	2013	100	Plant filing fee	} 660/330	_____
1113	300	2113	150	Plant search fee		_____
1313	160	2313	80	Plant examination fee		_____
1004	300	2004	150	Reissue filing fee	} 1,400/700	_____
1114	500	2114	250	Reissue search fee		_____
1314	600	2314	300	Reissue examination fee		_____
1005	200	2005	100	Provisional application filing fee		_____
SUBTOTAL (1)						\$ <u>00.00</u>

2. EXCESS CLAIM FEES

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims <u>31</u> - 30 or HP = <u>1</u>		X <u>50.00</u>	= <u>50.00</u>
HP = highest number of total claims paid for, if greater than 20			
Independent Claims <u>8</u> - 7 or HP = <u>1</u>		X <u>200.00</u>	= <u>200.00</u>
HP = highest number of independent claims paid for, if greater than 3			
Multiple Dependent Claims			=

<u>Large Entity</u>		<u>Small Entity</u>		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description</u>
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$250.00**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
<u> </u>	- 100 = <u>0</u>	/ 50 = <u>0</u> (round up to whole number)	X <u> </u>	<u> </u>

<u>Large Entity</u>		<u>Small Entity</u>		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):</u>
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0

FEE CALCULATION (continued)**4. OTHER FEE(S)**

				<u>Fees Paid (\$)</u>	
Non-English Specification, \$130 fee (no small entity discount)					
<u>Large Entity</u>		<u>Small Entity</u>			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	
1051	130	2051	65	Surcharge - late filing fee or oath	_____
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	_____
1053	130	1053	130	Non-English specification	_____
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	_____
1813	8,800	1813	8,800	Request for inter parties reexamination	_____
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	_____
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	_____
1251	120	2251	60	Extension for reply within first month	_____
1252	450	2252	225	Extension for reply within second month	_____
1253	1,020	2253	510	Extension for reply within third month	_____
1254	1,590	2254	795	Extension for reply within fourth month	_____
1255	2,160	2255	1,080	Extension for reply within fifth month	_____
1401	500	2401	250	Notice of Appeal	_____
1402	500	2402	250	Filing a brief in support of an appeal	_____
1403	1,000	2403	500	Request for oral hearing	_____
1451	1,510	1451	1,510	Petition to institute a public use proceeding	_____
1452	500	2452	250	Petition to revive - unavoidable	_____
1453	1,500	2453	750	Petition to revive - unintentional	_____
1501	1,400	2501	700	Utility issue fee (or reissue)	_____
1502	800	2502	400	Design issue fee	_____
1503	1100	2503	550	Plant issue fee	_____
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	_____
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	_____
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	_____
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	_____
1806	180	1806	180	Submission of Information Disclosure Stmt	_____
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	_____
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814	130	2814	65	Statutory Disclaimer	_____
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801	790	2801	395	Request for Continued Examination (RCE)	_____
1802	900	1802	900	Request for expedited examination of a design application	_____
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	_____
1505	300	1505	300	Publication fee for republication	_____
1803	130	1803	130	Request for voluntary publication or republication	_____
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	_____
Other fee (specify) _____				_____	
Other fee (specify) _____				_____	
				SUBTOTAL (4) \$ _____	

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: C. Teresa WongSignature: Date: 9/26/2006Reg. Number: 48,042Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



SLW

Attorney's Docket No.: 5693.P290X

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Keith Son

Examiner: Vidwan, Jasjit S.

Application No. 10/633,373

GAU: 2182

Filed: 07/31/2003

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For: FIBER CHANNEL ADAPTOR
FOR SERIAL OR PARALLEL ATA
DISKS

on

9/26/06 *Judy L. Steinkraus*

Date

Judy L. Steinkraus

Mail Stop Amendments
Commissioner For Patents
P.O. Box 1450
Alexandria VA 22313-1450

AMENDMENT AND RESPONSE

Sir:

In response to the non-final Office Action mailed on June 29, 2006, please enter the following amendments and consider the remarks below.

10/03/2006 RFEKADU1 00000009 10633373

01 FC:1202
02 FC:1201

50.00 OP
200.00 OP